

HOMER CITY COUNCIL
491 E. PIONEER AVENUE
HOMER, ALASKA
www.cityofhomer-ak.gov



REGULAR MEETING
6:00 P.M. MONDAY
JUNE 13, 2016
COWLES COUNCIL CHAMBERS

MAYOR BETH WYTHE
COUNCIL MEMBER DAVID LEWIS
COUNCIL MEMBER BRYAN ZAK
COUNCIL MEMBER GUS VAN DYKE
COUNCIL MEMBER CATRIONA REYNOLDS
COUNCIL MEMBER DONNA ADERHOLD
COUNCIL MEMBER HEATH SMITH
CITY ATTORNEY HOLLY WELLS
CITY MANAGER KATIE KOESTER
CITY CLERK JO JOHNSON

REGULAR MEETING AGENDA

**Worksession 4:00 p.m., Committee of the Whole 5:00 p.m., and Special Meeting 5:30 p.m.
in Homer City Hall Cowles Council Chambers.**

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Department Heads may be called upon from time to time to participate via teleconference.

2. AGENDA APPROVAL

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 1.24.040.)

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

4. RECONSIDERATION

5. CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Regular meeting minutes of May 23, 2016. City Clerk. Recommend adoption.
- B. **Memorandum 16-095**, from Mayor Wythe, Re: Reappointment of Tom Stroozas to the Planning Commission.

C. **Ordinance 16-31**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Commercial Vessel Passenger Tax Program Pass Through Grant From the Kenai Peninsula Borough for Calendar Year 2015 in the Amount of \$27,055.00, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommended dates: Introduction June 13, 2016, Public Hearing and Second Reading June 27, 2016.

D. **Ordinance 16-32**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating \$64,149 From the Fire Donations Fund to Purchase an Advanced Patient Care Simulator. City Manager/Fire Chief. Recommended dates: Introduction June 13, 2016, Public Hearing and Second Reading June 27, 2016.

Memorandum 16-096 from Fire Chief as backup.

E. **Ordinance 16-33**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 21.41.040, Basis for Establishing Flood Hazard Areas, Adopting the Flood Insurance Study for the Kenai Peninsula Borough and Incorporated Areas, Alaska Dated October 20, 2016 With Accompanying Flood Insurance Rate Maps (Firms). Planning. Recommended dates: Introduction June 13, 2016, Public Hearing and Second Reading June 27, 2016.

Memorandum 16-102 from City Planner as backup.

F. **Ordinance 16-34**, An Ordinance of the City Council of Homer, Alaska, Amending the Homer City Zoning Map to Rezone Portions of the Urban Residential (UR) and Residential Office (RO) Zoning Districts to Central Business (CB) Zoning District. Planning. Recommended dates: Introduction June 13, 2016, Public Hearing and Second Reading June 27, 2016.

Memorandum 16-103 from City Planner as backup.

G. **Ordinance 16-35**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Authorizing the Expenditure of \$65,000 for the Purchase of Two Used Police Vehicles From the Police Fleet Reserves and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommended dates: Introduction June 13, 2016, Public Hearing and Second Reading June 27, 2016.

Memorandum 16-104 from Police Lieutenant as backup.

- H. **Resolution 16-064**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply for a Tier 1 Rasmuson Foundation Grant in the Amount of \$25,000 for the Boat House Pavilion. Zak. Recommend adoption.
- I. **Resolution 16-065**, A Resolution of the City Council of Homer, Alaska, Approving the Kenai Peninsula Borough School District Agreement for Joint Use of Equipment and Facilities for the Period July 1, 2016 Through June 30, 2019, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.
- J. **Resolution 16-066**, A Resolution of the City Council of Homer, Alaska, Approving and Accepting the Renewal of the Special Services Contract for FY 2017 With the Alaska Department of Public Safety in the Amount of \$36,000.00 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Recommend adoption.

Memorandum 16-100 from Police Lieutenant as backup.

- K. **Resolution 16-067**, A Resolution of the City Council of Homer Alaska, Amending the Kachemak Drive Phase III Water and Sewer Special Assessment District Roll by Exempting Government Lots 3 and 15, Checkmate Shores Subdivision Lot 1, Mailea Bay Subdivision Lots 1 and 4, Kenai Peninsula Borough Parcel Nos. 17915002, 17936014, 17915056, 17915059, and 17915060 Owned by Kachemak Moose Habitat, Inc. Zak. Recommend adoption.
- L. **Resolution 16-068**, A Resolution of the City Council of Homer, Alaska, Expressing Supporting for Kenai Peninsula Borough Ordinance 2016-16, Submitting to the Voters a Ballot Proposition That Increases the Sales Tax Cap From \$500 to \$1,000 and Exempts Residential Rents From Sales Tax. Mayor/Council. Recommend adoption.
- M. **Resolution 16-069**, A Resolution of the Homer City Council Approving the Terms and Conditions for the Sale of Govt. Lot 3 Lying E. of Kachemak Drive, Section 14, Township 6 South, Range 13 West, Seward Meridian, KPB Parcel No. 179-150-03; S. ½ of Govt. Lot 30 Lying W. of Kachemak Drive, Section 14, Township 6 South, Range 13 West, Seward Meridian, KPB Parcel No. 179-080-50; Govt. Lots 10, 21, 24, 25 and 36, Section 14, Township 6 South, Range 13 West, Seward Meridian, KPB Parcel Nos. 179-080-09, 179-080-15, 179-080-25, 179-080-26 and 179-100-01 to the Highest, Responsible Bid for Those Lots and Authorizing the City Manager to Execute the Appropriate Documents to Finalize the Sales. City Manager. Recommend adoption.

- N. **Resolution 16-070**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply for, Accept, and Execute an Alaska Clean Water Fund (ACWF) Loan for the Lillian Walli Subdivision/Eric Lane Sewer Extension Project in the Amount of \$262,000. City Manager/Public Works Director. Recommend adoption.

Memorandum 16-106 from Public Works Director as backup.

- O. **Resolution 16-071**, A Resolution of the City Council of Homer, Alaska, Authorizing the City Manager to Apply for, Accept, and Execute an Alaska Clean Water Fund (ACWF) Loan for the Kachemak Drive (Phase III) Sewer Main Project in the Amount of \$801,100. City Manager/Public Works Director. Recommend adoption.

Memorandum 16-106 from Public Works Director as backup.

- P. **Resolution 16-072**, A Resolution of the Homer City Council Authorizing Cornerstone Construction, Inc. to Continue as General Manager-Contractor for Project Improvements at the Fire Station. City Manager. Recommend adoption.

- Q. **Resolution 16-073**, A Resolution of the City Council of Homer, Alaska, Entering Into a Three-Year Contract With Alaska Municipal League Joint Insurance Association in the Amount of \$396,487 for Year One With an Annual Increase Not to Exceed 10% Unless Coverage is Expanded to Include Marina Insurance and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 16-105 from City Manager as backup.

- R. **Memorandum 16-098**, from City Clerk, Re: Amendment to City Council Meeting Minutes of May 9, 2016 to Reflect Public Testimony on Ordinance 15-37(A).

- S. **Memorandum 16-099**, from Finance Director, Re: 2017 Proposed Budget Development Schedule.

6. VISITORS

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Borough Report

B. Commissions/Board Reports:

1. Library Advisory Board

2. Homer Advisory Planning Commission
 - a. Minutes of June 1, 2016
3. Economic Development Advisory Commission
4. Parks Art Recreation and Culture Advisory Commission
5. Port and Harbor Advisory Commission
6. Cannabis Advisory Commission

8. PUBLIC HEARING(S)

- A. **Resolution 16-054**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule to Implement a New Graduated Harbor Moorage Rate Structure. Port and Harbor Director/Port and Harbor Advisory Commission. Public Hearing June 13, 2016. Recommend Postpone to July 25, 2016 for Second Public Hearing.

Memorandums 16-084 and 16-101 from Port and Harbor Director as backup.

- B. **Ordinance 16-24**, An Ordinance of the City Council of Homer, Alaska, Amending Title 5 to Add a New Chapter 5.44 to Prohibit the Extraction of Tetrahydrocannabinol ("THC") or Any Cannabinoid by Use of Materials or Methods Deemed Dangerous to Public Health and Safety, Unless Otherwise Permitted By Law. City Manager/Fire Chief. Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-081 from Cannabis Advisory Commission as backup.

Memorandum 16-082 from Fire Chief as backup.

- C. **Ordinance 16-25**, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 5.20.020, Open Burning - Permit Requirement, by Requiring a Permit to Burn Combustible Materials in an Approved Burn Barrel, and Amending Homer City Code 5.20.030, Trash Burning - Approved Container, by Requiring a Permit to Burn Trash in a Screen Covered Container or Other Trash Burner Approved by the Fire Chief. City Manager/Fire Chief. Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-083 from Fire Chief as backup.

- D. **Ordinance 16-26**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 1.18.043, Public Disclosure, to Require Elected City Officials to Disclose Each Business in Which an Immediate Family Member is a Partner, Proprietor or Employee. Smith. Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.
- E. **Ordinance 16-27**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$38,000 From Port and Harbor Reserves for the Deep Water Dock Uplands Improvements. City Manager/Port and Harbor Director. Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-087 from Public Works Director as backup.

- F. **Ordinance 16-28**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$1,000,000 From the Permanent Fund for the Purposes of Funding Improvements to the Fire Hall and Exempting This Expenditure From Homer City Code Chapter 3.12, Which Requires Expenditures for Operation and Maintenance Costs to be Taken From Income From the Income Sub-Fund Unless 60% of City Voters Approve the Expenditure. Smith. Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.
- G. **Ordinance 16-29**, An Ordinance of the City Council of Homer, Alaska, Amending Ordinance 16-10, the Completion of the 2016 Streets Repaving Project, Utilizing Homer Accelerated Roads and Trails (HART) Funds From \$638,000 to \$562,506. Smith. Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-090 from Public Works Director as backup.

- H. **Ordinance 16-30**, An Ordinance of the City Council of Homer, Alaska, Authorizing the City to Issue General Obligation Bonds in the Principal Amount of Not to Exceed \$12,000,000 to Finance the Acquisition and Construction of a Police Station and Improvements to the Fire Hall; Amending HCC 9.16.010 to Provide for an Increase in the Rate of the City Sales Tax From 4.5% to 5.5% From April 1 Through September 30, With the Increase Dedicated to Fund Public Safety Operations and Infrastructure, Including Construction of a Police Station and Renovation of a Fire Hall and Submitting the Question of the Issuance of Such Bonds and Such Sales Tax Rate Increase to the Qualified Voters of the City at the October 4, 2016 Regular City Election. Mayor/Council. Introduction May 23, 2016, Public Hearings June 13 and 27, 2016, and Second Reading June 27, 2016.

Memorandum 16-091 from City Attorney as backup.

Memorandum 16-092 from City Manager as backup.

Ordinance 16-30(S), An Ordinance of the City Council of Homer, Alaska, Authorizing the City to Issue General Obligation Bonds in the Principal Amount of Not to Exceed \$11,425,000 to Finance the Acquisition and Construction of a Police Station; Amending HCC 9.16.010 to Provide for an Increase in the Rate of the City Sales Tax From 4.5% to 5.5% From April 1 Through September 30, With the Increase Providing Funds to Pay Debt Service on the General Obligation Bonds and Expiring on September 30 of the Year When the City Has Received Sufficient Funds From the Increase to Pay All of That Debt Service; and Submitting the Question of the Issuance of the Bonds and the Sales Tax Rate Increase to the Qualified Voters of the City at the October 4, 2016 Regular City Election. Smith.

9. ORDINANCE(S)

10. CITY MANAGER'S REPORT

A. City Manager's Report

1. Memorandum 16-097 from Planning Commission, Re: Hickerson Memorial Cemetery Recommendations.

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

- A. Employee Committee Report
- B. Public Safety Building Review Committee
- C. Americans with Disabilities Act Compliance Committee

13. PENDING BUSINESS

- A. **Resolution 16-063**, A Resolution of the Homer City Council Maintaining the Water and Sewer Fees at the 2016 Rate and Updating the Homer Fee Schedule Accordingly. City Manager/Finance Director. Postponed from May 23, 2016.

Memorandums 16-093 and 16-107 from City Manager as backup.

Resolution 16-063(S), A Resolution of the Homer City Council Maintaining the Water And Sewer Fees at the 2016 Rate and **Amending the Sewer Fees for Sewer Only**

Customers and Kachemak City Customers and Updating the Homer Fee Schedule Accordingly. Mayor.

Memorandum 16-107 from City Manager as backup.

14. NEW BUSINESS

15. RESOLUTIONS

16. COMMENTS OF THE AUDIENCE

17. COMMENTS OF THE CITY ATTORNEY

18. COMMENTS OF THE CITY CLERK

19. COMMENTS OF THE CITY MANAGER

20. COMMENTS OF THE MAYOR

21. COMMENTS OF THE CITY COUNCIL

22. ADJOURNMENT

Next Regular Meeting is Monday, June 27, 2016 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. A Worksession is scheduled for Monday, June 20, 2016 at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.